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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 National Labor Relations Board,

10 Petitioner,

11 v.

12 Van Loo Associates LLC,

13 Respondent.
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No. MC-18-00049-PHX-DLR

ORDER

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16 Before the Court is the Motion to Strike Order or Continue (Doc. 8) filed by Michael
17 Van Loo on behalf of Respondent Van Loo Associates LLC. Appearances in federal court
18 are governed by 28 U.S.C. § 1654, which states in relevant part, “[i]n all courts of the
19 United States the parties may plead and conduct their own cases personally or by counsel.”
20 This section, however, “does not allow corporations, partnerships, or associations to appear
21 in federal court otherwise than through a licensed attorney.” *Rowland v. Calif. Men’s*
22 *Colony*, 506 U.S. 194, 202 (1993). Indeed, “it has been the law for the better part of two
23 centuries . . . that a corporation may appear in the federal courts only through licensed
24 counsel.” *Id.* at 201-02; *see also MultiDenominational Ministry of Cannabis and Rastafari,*
25 *Inc. v. Holder*, 365 Fed. App’x 817, 819 (9th Cir. 2010) (“the law is clear that incorporated
26 entities must be represented by counsel in court”); *Larsen v. Lauriel Inv. Inc.*, 161 F. Supp.
27 2d 1029, 1034 n.1 (D. Ariz. 2001) (noting that pro se defendant “may not represent . . . a
28 corporate defendant”). Limited liability companies, like corporations and partnerships, are

1 artificial legal entities. *Joe Hand Promotions, Inc. v. Smith*, No. 2:09-cv-01047-JWS, 2010
2 WL 2292315, at *3 (D. Ariz. June 7, 2010) (“It is well established that limited liability
3 companies are distinct legal entities, separate from their members.”). As such, the rule
4 requiring counsel for artificial entities applies equally to limited liability companies.

5 Respondent is an LLC and there is no indication that Mr. Van Loo is a licensed
6 attorney. What this means for this case is that Mr. Van Loo cannot represent Respondent
7 in federal court, even though he appears to be Respondent’s Managing Partner and sole
8 member. Instead, if Respondent wishes to defend against Petitioner’s application, it must
9 do so through a licensed attorney. For these reasons,

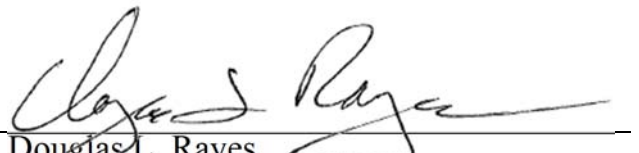
10 **IT IS ORDERED** as follows:

11 1. The Motion to Strike Order or Continue (Doc. 8) filed by Mr. Van Loo is
12 **STRICKEN** because Mr. Van Loo is not authorized to represent Respondent in federal
13 court.

14 2. Respondent shall have until **November 21, 2018** to retain counsel and to file an
15 answer to Petitioner’s application through counsel. If Respondent fails to file an answer
16 through counsel by that date, it shall be deemed to have waived its objections to the
17 Petitioner’s application.

18 3. The show cause hearing currently set for October 17, 2018 at 1:30 PM is **RESET**
19 for **December 4, 2018 at 1:30 PM** in Courtroom 606, 401 West Washington Street,
20 Phoenix, AZ 85003 before Judge Douglas L. Rayes.

21 Dated this 15th day of October, 2018.

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24 
25 Douglas L. Rayes
United States District Judge
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